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EXAMINER

CHANG, JUNGWON

ART UNIT PAPER NUMBER

2154

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,484

Applicant(s)

LEWIS, JOHN E.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-52 are presented for examination.
2. Claim 50 is objected to as being in improper form because claims 47 and 50 are duplicated.
3. Claim 51 is objected to as being in improper form because claims 51 and 52 are duplicated.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9, 14-25, 31-36, 40-45 and 47-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumner et al. (2002/0061003), hereinafter referred to as Sumner, in view of Skladman et al. (US 6,400,810).

6. As to claims 1 and 35, Sumner discloses the invention as claimed, including an apparatus for sending a subscriber of new email messages located at a post office (e-mail server; 450, fig. 4) (page 4, [0042], lines 13-16), comprising:

a proxy email client (messaging gateway; 410, 420; fig. 4; 510, 520, fig. 5) in communication with a post office (e-mail; 450, fig. 4) via an external network (Internet; 215, fig. 2; wireless network; 130, fig. 4) (page 4, [0041], lines 9-10), the proxy email client utilizing information from a file containing the subscriber's information (subscriber preference/profile; 455, fig. 4) to access the subscriber's email account at the post office (page 3, [0035], lines 8-14; [0037]-[0038]), the proxy email client retrieving a portion of an email message from the subscriber's account (retrieving the messages from the e-mail server; page 4, lines 10-13) and sending an email to the subscriber (wireless subscriber; 340, figs. 3, 5; 440, fig. 4) (deliver the messages to the subscriber; page 4, [0042], lines 14-16).

7. Sumner discloses sending an email to the subscriber (wireless subscriber; 340, figs. 3, 5; 440, fig. 4) (deliver the messages to the subscriber; page 4, [0042], lines 14-16). However, Sumner does not specifically disclose sending an email notification to the subscriber for alerting the subscriber of the email message at the post office. Skladman discloses sending an email notification to the subscriber for alerting the subscriber of the email message at the post office (alerting subscribers to incoming e-mail messages; abstract; col. 1, lines 27-41; col. 2, lines 22-34; col. 4, lines 44-49; transferring e-mail notices to respective subscribers; col. 5, lines 48-61). It would have been obvious to one

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of ordinary skill in the art at the time the invention was made to combine the teachings of Sumner and Skladman because Skladman's alerting subscriber to incoming e-mail messages would improve the performance of messaging system by quickly and conveniently notifying subscribers of received e-mail messages without requiring the subscribers to remain at their computer (Skladman; col. 1, lines 42-48).

8. As to claims 2 and 4, Sumner discloses proxy email client captures the subscriber's user profile comprising the subscriber's password, subscriber login information, and post office information (subscriber profile; 455, fig. 4; profile information that inherently contains login information, passwords, servers information associated with the login data; page 3, [0038]; login information; page 4, [0040]).

9. As to claim 3, Sumner discloses wherein the proxy email client (messaging gateway; 410, 420; fig. 4; 510, 520, fig. 5) is in communication with a wireless network (wireless network; 130, fig. 4).

10. As to claim 5, Sumner discloses the proxy email client stores the captured user profile in the file (page 3, [0035], lines 8-14; [0037]-[0038]).

11. As to claim 6, Sumner discloses the wireless network includes a wireless proxy email server (520, fig. 5) in communication with the proxy email client (510, fig. 5) (page 5, [0051]).

12. As to claim 7, Sumner discloses the wireless proxy server (520, fig. 5) is in communication with a storage device (database; 325, fig. 5).

13. As to claims 8 and 9, Sumner discloses the portion of the email message retrieved from the post office is stored on the storage device (database; 325, figs. 3, 5; page 3, [0037]).

14. As to claim 14, Sumner discloses the portion of the email message retrieved by the proxy email client is a header portion of the email message (email that inherently comprises a header portion, i.e., "To header", "From header", and a body portion; information source generates a message intended for a particular wireless device; page 2, [0029]).

15. As to claim 15, it is rejected for the same reasons set forth in claim 1. In addition, Sumner discloses the proxy email client (510, 520, fig. 5) sends a message via the external network (Internet; 215, fig. 5) to a paging network (wireless network; 130, fig. 5) for the email message (wireless paging; page 1, [0007], [0009]).

16. As to claim 16, Sumner discloses the external network includes the Internet (215, fig. 2).

17. As to claim 17, Sumner does not specifically disclose checking the post office for

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new email messages at a predetermined periodic rate. However, Skladman discloses checking the post office for new email messages at a predetermined periodic rate (notification server can be configured to poll the e-mail server at predetermined intervals to check for new e-mail; col. 3, lines 40-42; col. 4, lines 53-56; col. 5, lines 17-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made combine the teachings Sumner and Skladman because Skladman's checking new email at predetermined intervals would allow periodically updating and checking the new email messages.

18. As to claim 18, it is rejected for the same reasons set forth in claim 1 above. In addition, Sumner discloses a wireless network (wireless network; 130, fig. 4) in communication with the proxy email client (messaging gateway; 410, 420; fig. 4; 510, 520, fig. 5).

19. As to claims 19 and 20, they are rejected for the same reasons set forth in claims 2 and 4 above.

20. As to claim 21, it is rejected for the same reasons set forth in claim 5 above.

21. As to claim 22, it is rejected for the same reasons set forth in claim 6 above.

22. As to claim 23, it is rejected for the same reasons set forth in claim 7 above.

23. As to claim 24, it is rejected for the same reasons set forth in claim 8 above.
24. As to claim 25, it is rejected for the same reasons set forth in claim 9 above.
25. As to claim 31, it is rejected for the same reasons set forth in claim 14 above.
26. As to claim 32, it is rejected for the same reasons set forth in claim 15 above.
27. As to claim 33, it is rejected for the same reasons set forth in claim 16 above.
28. As to claim 34, it is rejected for the same reasons set forth in claim 17 above.
29. As to claim 36, Sumner further discloses sending a wireless email notification (wireless paging is through the use of STMP or e-mail; page 1, [0009]).
30. As to claims 40, 41 and 45, they are rejected for the same reasons set forth in claims 2 and 4 above.
31. As to claim 42, Sumner further discloses storing the captured information in a secure file (authentication; page 2, [0029]).

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32. As to claims 43 and 44, they are rejected for the same reasons set forth in claim 17 above.

33. As to claims 47 and 50, Sumner discloses creating a record includes creating a record comprising a field including a user identification (email address; page 1, [0009]).

34. As to claim 48, Sumner discloses creating the record including a creating a record comprising a field including an ISP domain name (email address inherently includes a domain name, i.e., Jungwon.Chang@USPTO.gov, domain name of the address is "USPTO.gov"; email address; page 1, [0009]).

35. As to claim 49, it is rejected for the same reasons set forth in claim 14 above.

36. As to claims 51 and 52, Sumner does not specifically disclose a field including a date on which an email message is received by the post office. However, Skladman discloses a field including a date on which an email message is received by the post office (fig. 5; col. 2, lines 56-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sumner and Skladman because Skladman's date on email message would improve the quality of email service by allowing the subscriber to aware of when the email was received.

37. Claims 10, 11 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumner et al. (2002/0061003), Skladman et al. (US 6,400,810),

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further in view of "Official Notice".

38. As to claim 10, Sumner discloses wherein the wireless network (130, figs. 1-5) and mobile devices (wireless subscriber unit A-C; 140, figs. 1-2; 340, figs. 3-4; 440, fig. 5) exchange short text message each other (page 1, [0009]; page 4, [0046]). However, Sumner does not specifically disclose SMS message center (Short Message Service Center). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include SMS message center because it allows a wireless subscriber to easily send messages to and from the wireless network.

39. As to claims 11 and 27, it is rejected for the same reasons set forth in claims 1 and 10 above.

40. As to claims 26 and 28, they are rejected for the same reasons set forth in claim 10 above.

41. Claims 12, 13, 29, 30, 37-39 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumner et al. (2002/0061003), Skladman et al. (US 6,400,810), further in view of Ng (US 6,640,301).

42. As to claims 12 and 13, Skladman discloses that proxy email client can be configured to poll the e-mail server at predetermined intervals to check for new e-mail;

col. 3, lines 40-42; col. 4, lines 53-56; col. 5, lines 17-20) and compares the e-mail notification to the email attributes in the filter list (col. 5, lines 20-25). However, Sumner and Skladman do not specifically disclose computing a checksum on the portion of the email message. However, Ng discloses computing a checksum on the portion of the email message (CKSUM, 34, figs. 5, 14; checksum generator; 40, fig. 12; col. 3, line 63 – col. 4, line 12; col. 4, lines 19-47; col. 7, lines 20-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sumner, Skladman and Ng because Ng's checksum would improve authentication of e-mail message by delivering the desired e-mail message only to intended recipient using the checksum.

43. As to claims 29, 30, 37-39 and 46, they are rejected for the same reasons set forth in claims 12 and 13 above.

Conclusion

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hilt, 2002/0032741, Fishman et al, 2002/0103935, Eggleston et al, 6,101,531, Horvitz, 2002/0087649, Lohtia et al, patent 6,560,456, Checkoway et al, 2002/0035607, Suryanarayana, 2002/0155848, Woltz et al, patent 5,995,597, Fox et al, patent 6,421,781 disclose a method and system for increasing data processing capabilities in

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mobile computing devices.

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'JWC' followed by a stylized name, likely 'Jungwon Chang'.

JWC
April 4, 2005